



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

DEC 10 2002

400 Seventh St., S.W.
Washington, D.C. 20590

Ms. Bernie Knapp
Calico Brands, Inc.
2800 E. Philadelphia St.
Ontario, CA 91761

Ref. No. 01-0322

Dear Ms. Knapp:

This responds to your two letters regarding the packaging of lighters under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). I apologize for the delay in responding.

Your questions are paraphrased and answered as follows:

- Q1. We submit lighters and their inner packagings for examination and approval under § 173.21(i). We occasionally have the need to vary the type and number of previously approved lighters that are placed within previously approved inner packagings. Are we required to submit for approval every possible packaging configuration (lighters or inner packaging) as a new design?
- A1. Yes. Section § 173.21(i) states that the device and its inner packaging must be examined by the Bureau of Explosives (currently Explosives Bureau) and specifically approved by the Associate Administrator. Additionally, any change in the approved lighter/inner packaging configuration is considered a new design and, thus, requires a new lab report (i.e., approval). While not all-inclusive this would include a lesser number of lighters or a change in inner packaging design (e.g. blister pack, tray). We recommend that, when a design is submitted for examination, multiple potential lighter/inner packaging configurations be presented and considered at the time of examination.
- Q2. Is it permissible to vary the number and type of approved inner packaging lighter designs under the selective testing variations in § 178.601(g)?
- A2. The answer is yes. In accordance with Special Provision N10 of § 172.102, lighters in their approved inner packagings must be packaged in one of the following outer packagings that have been design qualified tested at the Packing Group II performance level or higher: (1) 4C1 or 4C2 wooden boxes; (2) 4D plywood boxes; (3) 4F reconstituted wood boxes;



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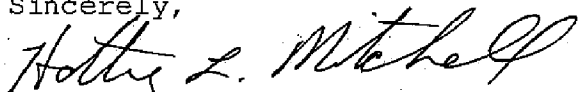
173 216)

(4) 4G fiberboard boxes; or (5) 4H1 or 4H2 plastic boxes.

In addition, under § 178.601(g), it is permissible to vary the number and type of approved lighter/inner packaging configurations that are packed in an outer UN standard packaging without further design qualification testing of the package, provided an equivalent level of performance is maintained.

I trust this satisfies your inquiry. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in cursive script, reading "Hattie L. Mitchell".

Hattie L. Mitchell
Chief, Regulatory Review and Reinvention
Office of Hazardous Materials Standards



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12/20/01
December 14, 2001

VIA FAX: 202-366-3012

Mr. Edward Mazzullo
U.S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Standards
400 Seventh Street, S.W.
Washington, D.C. 20590

Subject: EB/DOT Approvals

Dear Mr. Mazzullo:

Please help us shed light on the EB/DOT approval process. Pursuant to 49-CFR 173.21(i), when shipping a lighter equipped with an ignition device and containing fuel, the design of the device or the lighter has to be examined and approved by the Explosives Bureau and Department of Transportation. We have received approvals on all our different lighter designs, however, we have also submitted and received approvals on different packaging configurations that hold the approved lighters. In other words, even though the lighter has been previously approved by EB/DOT, we repackage the lighters in different style configuration therefore the box sizes and quantities of lighters often change. Each box has been certified through the UN Performance testing for each specific configuration. The question is, do we still need to get the EB/DOT approvals every time we change the design of the box or quantities of approved lighters contained in a shipper?

I have attached samples of approvals for your reference:

T3 Lighters: EB Approval Number: B93921
BSL-3 EB Approval Number: B94896
BSL-4 EB Approval Number: B94895

As you will note, BSL-3 and BSL-4 are both using the T3 lighter which was previously approved, however, when we changed the Marketing of the product and configured a different box and style of packaging such as BSL-3 and BSL-4, we again sent it for approvals.

Are we correct in sending for approvals every time we change our packaging design such as in the case of BSL-3 and BSL-4 or are we over doing it?

Thank you in advance for your attention to this matter.

Sincerely,

Bernie Knapp
Calico Brands, Inc.

Stevens
§ 173.21 (i)
Packaging
Approvals
01-0322



W.S. Chang, Director
Hazardous Materials Control



ASSOCIATION
OF AMERICAN
RAILROADS

File No. 16-232
Lab. No. B93921
Date 10/25/95

DOT/RSRA/CHMS
EXEMPTIONS & APPROVALS
95 NOV - 6 PM 12 44

REPORT OF EXAMINATION OF LIGHTER AND PACKAGING

SUBMITTED BY Honson Marketing Group, Inc.
Home Gardens, CA

LIGHTER IDENTIFICATION

T3 LR

King Child Resistant Lighters

LIGHTER DESCRIPTION

The lighter was made of plastic, flat cylindrical in shape (3 1/4" x 7/8" x 7/16"), having a flint wheel and gas control lever on top with a child resistant latch.

INNER AND OUTER PACKAGINGS

Fifty lighters were placed vertically in 5 rows of 10 each into a plastic tray with a plastic cover on top, then was packed in a cardboard box 5 1/8" x 5" x 3 7/16".

Ten cardboard boxes for a total of 500 lighters were packed in 2 rows of 5 each per layer, two layers for a total of 1000 lighters were packed in a 4G corrugated fiberboard box 18" x 11" x 10 3/4", gross weight 48 lbs.

MAXIMUM QUANTITIES PER SHIPMENT 100,000 lighters

LEAKAGE Weight measurement shows that the rate of gas leakage from the lighter is about 3.1 mg/day at 100 F.

CONCLUSION This lighter and packaging do meet and pass the specification test.

W. S. Chang
Director



EXPLOSIVES BUREAU
(FORMERLY BUREAU OF EXPLOSIVES LAB/
ASSOCIATION OF AMERICAN RAILROADS)

407 HARTSHORN DRIVE
SHORT HILLS, NJ 07078
Tel. (973) 467-3237 • Fax (973) 467-4648

File No.. 16-232
Lab. No. B94896
Date 4/7/99

REPORT OF EXAMINATION OF LIGHTER AND PACKAGING

SUBMITTED BY Scotty Lighter Company
Corona, CA

LIGHTER IDENTIFICATION

T3 Lighter
Packaging: 3 Pack Open Stock (BSL-3 Three Pack)

LIGHTER DESCRIPTION

The lighter is made of plastic, flat cylindrical in shape (3 1/4" x 15/16" x 7/16") having a flint wheel and a gas control lever on top.

INNER AND OUTER PACKAGINGS

Three (3) lighters are blister packed on a piece of cardboard 5 11/16" x 3 15/16" x 0.021", plastic thickness: 0.006".

Forty-eight of these blister cards for a total of 144 lighters are packed nested together in a 48 corrugated fiberboard box 13 5/8" x 7 3/8" x 4 11/16", it is filled on top with a corrugated brace to prevent movement, gross weight 7 lbs.

MAXIMUM QUANTITIES PER SHIPMENT 100,000 lighters

LEAKAGE The lighter has been previously tested and has passed the specification test.

CONCLUSION The lighter and packaging do meet and pass the specification test.

W. S. Chang

EB**EXPLOSIVES BUREAU**
(FORMERLY BUREAU OF EXPLOSIVES LAB./
ASSOCIATION OF AMERICAN RAILROADS)407 HARTSHORN DRIVE
SHORT HILLS, NJ 07078
Tel. (973) 467-3237 • Fax (973) 467-4648File No.. 16-232
Lab. No. B94895
Date 4/7/99**REPORT OF EXAMINATION OF LIGHTER AND PACKAGING**SUBMITTED BY Scotty Lighter Company
Corona, CA**LIGHTER IDENTIFICATION**T3 Lighter
Packaging: 4 Pack Open Stock (BSL-4 Four Pack)**LIGHTER DESCRIPTION**

The lighter is made of plastic, flat cylindrical in shape (3 1/4" x 15/16" x 7/16") having a flint wheel and a gas control lever on top.

INNER AND OUTER PACKAGINGS

Four (4) lighters are blister packed on a piece of cardboard 5 5/8" x 4 5/8" x 0.021", plastic thickness: 0.006".
Forty-eight of these blister cards for a total of 192 lighters are packed nested together in a 46 corrugated fiberboard box 13 5/8" x 7 3/8" x 4 11/16", gross weight 9.5 lbs.

MAXIMUM QUANTITIES PER SHIPMENT 100,000 lighters**LEAKAGE** The lighter has been previously tested and has passed the specification
test.**CONCLUSION** The lighter and packaging do meet and pass the specification
test.

W. S. Chang



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December 14, 2001

VIA FAX: 202-366-3012

Mr. Edward Mazzullo
U.S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Standards
400 Seventh Street, S.W.
Washington, D.C. 20590

Stevens
§ 178.601
Packaging
01-0323

Subject: UN Performance Testing of Non-Bulk Packaging

Dear Mr. Mazzullo:

Please clarify for us the regulation on Selective testing found in 49-CFR Section 178.601(g)(1). We would like to know which of the following variations are permitted without further testing provided that the box has been successfully tested on its design as specified in Section 178.601(d).

Example 1: The lighters and inner packaging are identical to the lighters and inner packaging used in the tested design type except that the lighter quantity and mass weight is less. Sufficient cushioning will be added to fill the spaces to prevent shifting in the box during transportation. Is this permitted?

Example 2: Lighter A and B have the same ignition design except they have different body shapes. Both have been separately approved by EB/DOT. Lighter A was used in the testing of the design box. Will it be permitted to use the tested design box to pack either Lighter B or both Lighter A and B provided that the mass weight is less or equal to what was originally tested?

Example 3: Lighter A is a cigarette lighter and Lighter C is a grill lighter. Both are classified as Lighters and both designs have been separately approved by EB/DOT. Lighter A was used in the testing of the design box. Will it be permitted to use the tested design box to pack either Lighter C or both Lighter A and C provided that the mass weight is less or equal to what was originally tested?

Looking forward for your clarification of this matter and thank you in advance for your attention.

Sincerely,

Bernie Knapp
Calico Brands, Inc.